



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/574,741	01/16/2007	Otto Bosse	10537/328	2477
26646 7590 07/09/2008 KENYON & KENYON LLP ONE BROADWAY NEW YORK, NY 10004				
EXAMINER AMIRI, NAHID				
ART UNIT 3679		PAPER NUMBER		
MAIL DATE 07/09/2008		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/574,741

Applicant(s)

BOSSE ET AL.

Examiner

NAHID AMIRI

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed 5/14/2008 in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/23/2007 has been entered. The application is not in condition for allowance in view of the new grounds of rejection set forth below. Claims 1-13 are canceled. Claims 14-28 are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

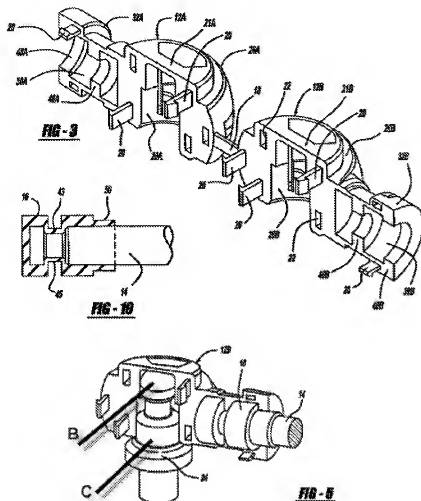
(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 14-28 are rejected under 35 U.S.C. 102(a) as being anticipated by US Patent No. 7,226,234 B2 Gordy et al.

With respect to claims 14-20, Gordy et al. disclose a ball socket (Figs. 3, 5, 10) for receiving a ball (B) comprising a first half-socket (26A) and a second half-socket (26B), each of the first half-socket (26A) and the second half-socket (26B) having an at least partially spherical interior surface; at least one elastically deformable region (18) integrally formed with the first half-socket (26A) and the second half-socket (26B), wherein the elastically deformable region (18) is in a load-free state when the ball is completely inserted into the ball socket; wherein the elastically deformable region (18) is formed of an elastically deformable material; wherein the elastically deformable region (18) includes an elastically deformable geometry; wherein the ball socket is adapted to cover a ball portion (B) of the ball delimited by at least one circle; and wherein the socket includes at least one gap (constituted by a cover a distance between the first

Art Unit: 3679

half-socket and the second half socket; an wherein the gap is oriented perpendicular to at least one circle that delimits a ball portion (B) of the ball that is covered by the ball socket.



With respect to claims 21 and 22, Gordy et al. disclose (Figs. 7, 8) that the elastically deformable region (18) is arranged as an elongate portion arranged diagonally with respect to the gap; and wherein the at least one gap includes two gaps (constituted by distance between two end portions of the first and second half sockets, arranged diagonally with respect to one another along a circumference of the ball.

With respect to claims 23-26, Gordy et al. disclose that the elastically deformable region (18) is arranged in one of the two gaps; wherein the elastically deformable region (18) is arranged between a first portion of the circle and a second portion of the circle; and wherein the elastically deformable region (18) includes a thin-walled region.

With respect to claims 27 and 28, Gordy et al. disclose a system (Figs. 3, 5, 10) comprising a rotatably mounted connection arrangement adapted to connect a first part (constituted by a pin 24) to a second part (constituted by parts 12A, 12B), the first part (24) including a ball (B) as a connection element (C), the second part (12A, 12B) including a first half-socket (26A), a second half-socket (26B), each of the first half socket (26A) and the second half-socket (26B) having an at least partially spherical interior surface at least one elastically deformable region (18) integrally formed with the first half-socket (236A) and the second half-socket (26B), wherein the elastically deformable region (18) is in a load-free state when the ball in completely inserted into the ball socket.

Response to Arguments

Applicant's arguments with respect to claims 14-28 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nahid Amiri whose telephone number is (571) 272-8113. The examiner can normally be reached on 8:30-5:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications

Art Unit: 3679

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NahidAmiri
Examiner
Art Unit 3679
June 17, 2008

/Daniel P. Stodola/
Supervisory Patent Examiner, Art Unit 3679